

10-20-08

EBJ



IN THE UNITES STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/738,417)
Applicant: Ham, J) Ex. S. Johnson
Title: Inert Tactical Weapons System and) Art Unit 3641
Method of Use)
Filing Date: Dec. 17, 2003)

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Currently on appeal

Summary of Interview with Examiner on Oct. 2, 2008

Now comes applicant and through the undersigned, his attorney of record,
Provides a summary of the interview granted him by the Examiner on the above date.

The Examiner pointed out certain aspects of the brief which needed to be changed
including making a more specific reference to the specification and drawings in the
description of the claims in Section V and in defining the means plus function phrases in
the claims. This change was implemented.

The Examiner also noted that the Rejections Section should only contain the

headings of what actually was rejected on what grounds and that change was implemented. The material addressing the rejection was moved to Section VII the Arguments section.

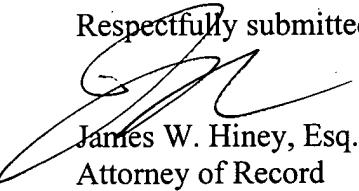
The verbiage in Section IV was changed per the Examiner's suggestion to more fully comply with the brief requirements.

Section VIII was changed to indicate Appendix A as the correct designation per the Examiners pointing out the error of the "VIII" designation

Section X was changed to read "None" per the Examiners suggestions.

It is now believe that the brief, already filed with an extension of Time in which to reply request, is in proper form. Accompanying this submission is a copy of the Interview Summary by the Examiner. The undersigned thanks the Examiner for assisting in making the brief format compliant. It is noted that all the copies of the cases relied upon have already been filed.

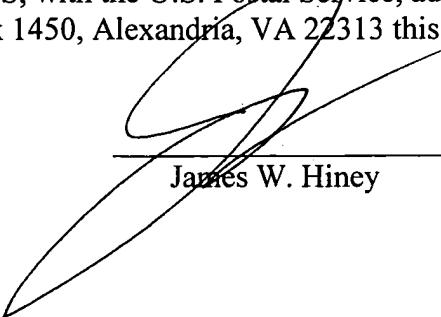
Respectfully submitted,



James W. Hiney, Esq.
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Certification of Mailing.

I, James W. Hiney, do hereby certify and aver that an executed copy of this request with the 3rd amended appeal brief and a check were deposited, Express Mail No. EB 755322724 US, with the U.S. Postal Service, addressed to the Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313 this 17th day of October, 2008.



James W. Hiney



Interview Summary

Application No.	Applicant(s)	
10/738,417	HAM, JERRY D.	
Examiner	Art Unit	
Stephen M. Johnson	3641	

All participants (applicant, applicant's representative, PTO personnel):

(1) Stephen M. Johnson

(3) _____

(2) James W. Hiney

(4) _____

Date of Interview: 02 October 2008



Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant

2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes
If Yes, brief description: _____

e) No.

Claim(s) discussed: all claims.

Identification of prior art discussed: none.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Agreed to ways to alter applicant's appeal brief to comply with 37 CFR 41.37c.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Stephen M. Johnson/
Primary Examiner, Art Unit 3641

571-272-6877

U.S. Patent and Trademark Office
PTOL-413 (Rev. 04-03)

Interview Summary

Paper No. 20081002



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,417	12/17/2003	Jerry D. Ham		8341
7590 James W. Hiney, Esq. P. O. Box 818 Middleburg, VA 23060		10/09/2008		
			EXAMINER JOHNSON, STEPHEN	
			ART UNIT 3641	PAPER NUMBER
			MAIL DATE 10/09/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.
The time period for reply, if any, is set in the attached communication.